

## AGENCY AFFIRMATION

Agency: Office of the Governor

Name of Requestor: Taylor Amarel

Appeal Docket Number: AP 2019-1796

Date: October 18, 2019

Records Requested: “emails sent to, from, or copied to Gov. Tom Wolf from June 1, 2019 to Present Day containing . . . “Department of Human Services”, “Berks County Residential Center”, Detention”, “Health and Human Services”, “Homeland Security”, “DePasquale”, “Leinbach”, or “Erin James”.”

I, Marc Eisenstein, Agency Open Records Officer (AORO) for the Office of Governor, swear and affirm as follows to the best of my knowledge and belief, under penalty of perjury.

- 1) As the AORO, I oversee the collection of records responsive to requests filed with the Office of the Governor (Office) under the Right to Know Law, 65 P.S. § 67.101, et seq. (RTKL).
- 2) I received a request for records submitted by Taylor Amarel (Requester) seeking records as set forth above, which this Office docketed as Request No. C-2019-040.
- 3) In response to the request, I reviewed the records, operations and programs of the Office.
- 4) In response to the request, I reviewed the operations and programs of the Office and conducted and consulted in a search of the Office’s records.
- 5) My search of the Office’s records revealed 6 responsive records that have been withheld. The withheld records are emails between high-level policy makers in the Governor’s office that provide updates and opinions on pending policy matters to others in the Office of the Governor.
- 6) These emails contain discussions and analysis of issues pending before the Office and executive agencies, and reflect observations and options for

formulating strategies and responses. These emails are circulated in advance of the agencies and the Office executing various policies or courses of action.

- 7) These briefing emails reflect discussions internal to the Office and did not include communications with third parties or external participants.
- 8) The emails also include communications between Office officials and their counsel for the purposes of seeking or providing legal advice, or the mental impressions of counsel regarding those matters.
- 9) In light of the foregoing, based upon a good-faith search of the records of the Office of the Governor, I hereby swear and affirm, under penalty of perjury, that the Office of the Governor has provided or herein identified all records responsive to the request, and that all fact set forth in this affirmation and the response to which it is appended are true and correct to the best of my knowledge, information and belief.



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Marc Eisenstein,  
Agency Open Records Officer